

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

TEXAS ASS'N FOR MONEY SERVICES
BUSINESSES (TAMSB), *et al.*

Plaintiffs,

v.

PAM BONDI, in her official capacity as
Attorney General; SCOTT BESSENT, in his
official capacity as Secretary of the Treasury;
UNITED STATES DEPARTMENT OF THE
TREASURY; ANDREA GACKI, in her official
capacity as the Director of the Financial Crimes
Enforcement Network; FINANCIAL CRIMES
ENFORCEMENT NETWORK,

Defendants.

Civil Action No. SA-25-cv-00344-FB

SUPPLEMENT TO CERTIFICATION OF ADMINISTRATIVE RECORD

I, Kathryn Barela, certify as follows:

1. I have served as the Records and Information Management Specialist—the Records Officer—for the Financial Crimes Enforcement Network (“FinCEN”), a bureau within the Department of the Treasury, since August 2024
2. In this role, I oversee management and retention of FinCEN’s records, including memoranda and other documents that comprise the administrative record relating to the geographic targeting order (“GTO”)—issued on March 14, 2025 (and effective on April 14, 2025)—that covers money services businesses in 30 ZIP codes located in two counties in California—Imperial and San Diego—and the five counties in Texas—Cameron, El Paso, Hidalgo, Maverick, and Webb (the “SW Border GTO”). As such, I am authorized to certify the truth and correctness of official records of FinCEN, and of other documents recorded or filed with FinCEN.

3. The facts attested to herein are based on my personal knowledge or information made available to me in the course of my official duties.

4. In advance of the hearing held on May 12, 2025, FinCEN identified an error in the administrative record filed on April 25, 2025.

5. Specifically, FinCEN identified an error in the citation in footnote 27 of the “[Redacted] Information Memorandum for Director Andrea M. Gacki.” *See* AR 000010. As set out in the “[Redacted] Information Memorandum for Director Andrea M. Gacki,” that footnote provides a citation to “Complaint, *United States v. Chavez Zepeda et al*, No. 2:22-cr-00064 (E.D. Cal., Mar. 14, 2022).” However, footnote 27 should instead contain citations to the following three sources: (1) Criminal Complaint, *United States v. Mora*, No. 4:22-cr-00361 (N.D. Cal. Sept. 01, 2022); (2) Judgment, *United States v. Mora*, No. 4:22-cr-00361 (N.D. Cal. Mar. 03, 2025); and (3) a press release by the U.S. Drug Enforcement Administration – namely, “Owner of Oakland Money Services Business Sentenced to 18 Months in Prison for Laundering Drug Proceeds to Mexico” (Mar. 19, 2024).

6. Those sources are now reflected in the attached revised index and incorporated into the administrative record. *See* AR 000444-000503.

7. I hereby certify to the best of my knowledge and belief that these documents constitute a true, correct, and complete copy of the non-privileged documents that were directly or indirectly considered in connection with FinCEN’s March 2025 decision to issue the SW Border GTO.

Pursuant to 28 U.S.C. § 1746, I certify and declare, under penalty of perjury, that the

foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this 19th day of May 2025 in Vienna, VA.

Kathryn
E. Barela

Digitally signed by
Kathryn E. Barela
Date: 2025.05.19
07:09:20 -04'00'

Kathryn Barela
Records and Information Specialist
Financial Crimes Enforcement Network
U.S. Department of the Treasury
2070 Chain Bridge Road
Vienna, VA 22182

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Document	Bates / Location	Page in Information Memorandum
FinCEN, <i>Issuance of a Geographic Targeting Order Imposing Additional Recordkeeping and Reporting Requirements on Certain money Services Businesses Along the Southwest Border</i> , 90 FR 12106 (Mar. 14, 2025)	000001-03	N/A
[Redacted] Information Memorandum for Director Andrea M. Gacki (Mar. 2025)	000004-20	N/A
FinCEN, FIN-2013-R001, <i>Treatment of Armored Car Service Transactions Conducted on Behalf of Financial Institution Customers or Third Parties for Currency Transaction Report Purposes</i> (July 12, 2013)	000021-24	3
Treasury, <i>National Money Laundering Risk Assessment</i> (2024)	000025-132	4, 8
FinCEN, FIN-2024-A002, <i>Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids</i> (June 20, 2024)	000133-147	5, 8-9
Ryan C. Berg, Rubi Bledsoe and Michael Ferguson, <i>Understanding the Impact of Remittances on Mexico's Economy and Safeguarding Their Future Impact</i> , Center for Strategic and International Studies (Jan. 15, 2025)	000148-167	5
U.S. Drug Enforcement Administration, <i>National Drug Threat Assessment</i> (May 2024).	000168-224	5
Natalie Kitroeff and Robert Gebeloff, <i>The American Drug Mules Smuggling Fentanyl into the U.S.</i> , The New York Times (Sept. 28, 2024)	000225-243	5
Vanda Felbab-Brown and Fred Dews, <i>US-Mexico Relations and the fight against fentanyl trafficking</i> , Brookings Institute (Oct. 8, 2024)	000244-262	5
Executive Order 14157, "Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists," 90 FR 8439 (Jan. 20, 2025)	000263-264	6
U.S. Department of State, "Designation of International Cartels" (Feb. 20, 2025)	000265-268	6

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Diego Ore, <i>How Mexican narcos use remittances to wire U.S. drug profits home</i> , Reuters (Aug. 18, 2023)	000269-282	6
FinCEN, FIN-2020-A008, <i>Supplemental Advisory on Identifying and Reporting Human Trafficking and Related Activity</i> (Oct. 15, 2020)	000283-293	6
FinCEN, FIN-2023-Alert001, <i>FinCEN Alert on Human Smuggling along the Southwest Border of the United States</i> (Jan. 13, 2023)	000294-303	7
FBI, “Money Mules”	000304	7
FinCEN, FIN-2019-A006, <i>Advisory to Financial Institutions on Illicit Financial Schemes and Methods Related to the Trafficking of Fentanyl and Other Synthetic Opioids</i> (Aug. 21, 2019)	000305-322	7
Criminal Complaint, <i>United States v. Chavez Zepeda, et al.</i> , No. 2:22-cr-00064 (E.D. Cal.) (filed Mar. 14, 2022)	000323-390	7
Criminal Indictment, <i>United States v. Perez, et al.</i> , No. 1:17-cr-00200 (N.D. Ga., June 13, 2017)	000391-402	7
Homeland Security Investigations, “Issue #57,” <i>Cornerstone</i> (Oct. 2024)	000403-408	9
[Redacted] Email from HSI to GID (Aug. 4, 2023)	000409-412	10
CTR filing analysis high level	000413	N/A
CTR Stats + Border crossing stats	000414-420	N/A
CTRs filed by ZIP code and relative to population, CA and TX counties highlighted	000421-426	N/A
CTRs filed by ZIP code and relative to population	000427	N/A
FinCEN SWB CTR Dashboard, Jan 1, 2022 - Jun 30, 2022	000428-433	N/A

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[Redacted] Number of CTRs filed in Texas Border Counties, Jan-Dec. 2024	000434-441	N/A
Zip INFO	000442-443	N/A
MSB Registrant Search (to access FinCEN List of Registered MSBs)	https://www.fincen.gov/msb-state-selector	N/A
Criminal Complaint, <i>United States v. Mora</i> , No. 4:22-cr-00361 (N.D. Cal., Sept. 1, 2022), with Judgment, <i>United States v. Mora</i> , No. 4:22-cr-00361 (N.D. Cal., Mar. 20, 2024) and U.S. Drug Enforcement Administration, Press Release, <i>Owner of Oakland Money Services Business Sentenced to 18 Months in Prison for Laundering Drug Proceeds to Mexico</i> (Mar. 19, 2024)	000444-503	7